

1 Rosemary M. Rivas (State Bar No. 209147)

Email: rrivas@zlk.com

2 **LEVI & KORSINSKY, LLP**

44 Montgomery Street, Suite 650

3 San Francisco, California 94104

Telephone: (415) 291-2420

4 Facsimile: (415) 484-1294

5 Eduard Korsinsky (to be admitted *pro hac vice*)

Email: ek@zlk.com

6 **LEVI & KORSINSKY, LLP**

30 Broad Street, 24th Floor

7 New York, New York 10004

Telephone: (212) 363-7500

8 Facsimile: (212) 636-7171

9 *Counsel for Plaintiff Andrew Okusko*

10
11 **UNITED STATES DISTRICT COURT**

12 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

13 **SAN FRANCISCO DIVISION**

14 ANDREW OKUSKO, individually and on behalf
15 of all others similarly situated,

16 Plaintiff,

17 v.

18 DYNAMIC LEDGER SOLUTIONS, INC., THE
TEZOS FOUNDATION, KATHLEEN
19 BREITMAN, ARTHUR BREITMAN, and
TIMOTHY DRAPER,

20 Defendants.

21 Case No. 3:17-cv-06829-RS

CLASS ACTION

**NOTICE OF WITHDRAWAL OF
PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION**

Date: January 11, 2018

Time: 1:30 p.m.

Judge: Hon. Richard Seeborg

Crtrm.: 3, 17th Floor

22
23 **TO THE COURT, ALL PARTIES, AND THEIR COUNSEL OF RECORD:**

24
25 **PLEASE TAKE NOTICE** that Plaintiff Andrew Okusko ("Plaintiff"), by and through his
26 respective attorneys, hereby withdraws his Motion for Preliminary Injunction (the "Injunction Motion")
27 (Dkt. No. 9) without prejudice. In support of this withdrawal, Plaintiff states:
28

1 On December 4, 2017, Plaintiff filed his Injunction Motion seeking to preliminarily enjoin
 2 Defendants Dynamic Ledger Solutions, Inc., The Tezos Foundation (the “Foundation”), Kathleen
 3 Breitman, and Arthur Breitman from transferring or dissipating assets raised in connection with the
 4 Tezos ICO, including, but not limited to, Bitcoin, Ether, and any other assets that Defendants have
 5 since purchased with funds raised in the Tezos ICO.

6 Counsel for Plaintiff and the Foundation have met and conferred concerning service of process
 7 on the Foundation and Plaintiff’s Injunction Motion. Plaintiff agreed to withdraw his Injunction Motion
 8 without prejudice and the Foundation agreed to waive service of the summons. On December 22, 2017,
 9 counsel for the Foundation executed the Waiver of the Service of Summons.

10 Pursuant to Local Rule 7-7(e), Plaintiff respectfully requests the Injunction Motion be taken
 11 off-calendar.

12 Respectfully submitted,

13 Dated: December 26, 2017

LEVI & KORSINSKY, LLP

14 By: /s/ Rosemary M. Rivas

15 Rosemary M. Rivas
 16 44 Montgomery Street, Suite 650
 17 San Francisco, CA 94104
 Telephone: (415) 291-2420
 Facsimile: (415) 484-1294

18 Eduard Korsinsky (to be admitted *pro hac vice*)
 Email: ek@zlk.com

19 **LEVI & KORSINSKY, LLP**
 20 30 Broad Street, 24th Floor
 New York, New York 10004
 Telephone: (212) 363-7500
 Facsimile: (212) 636-7171

21 *Counsel for Plaintiff Andrew Okusko*

PROOF OF SERVICE

I hereby certify that on December 26, 2017, I authorized the electronic filing of the foregoing:

1. NOTICE OF WITHDRAWAL OF PLAINTIFF'S MOTION FOR PRELIMINARY
INJUNCTION

using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the Electronic Mail Notice List maintained by this Court, and I hereby certify that I caused to be mailed these documents via the United States Postal Service to the following defendant:

Neil A. Potischman
DAVIS POLK & WARDWELL LLP
1600 El Camino Real
Menlo Park, CA 94025

Counsel for Defendant Tezos Foundation

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on December 26, 2017, in San Francisco, California.

/s/ Rosemary M. Rivas
Rosemary M. Rivas